

CITY OF TIGARD, OREGON

ORDINANCE NO. 04-//

AN ORDINANCE ANNEXING THE ALPINE VIEW AREA, APPROVING ANNEXATION ZCA 2004-00002, AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT, WASHINGTON COUNTY STREET LIGHTING DISTRICT #1, AND THE WASHINGTON COUNTY VECTOR CONTROL DISTRICT.

WHEREAS, the City of Tigard is authorized by ORS 222.120(4)(B) and 222.170 to initiate an annexation upon receiving consent in writing from a majority of the electors registered in the territory proposed to be annexed and written consent from owners of more than half the land in the territory proposed to be annexed; and

WHEREAS, the City of Tigard is authorized by ORS 222.120(5) and 222.520 to withdraw properties which currently lie within the boundary of the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District upon completion of the annexation; and

WHEREAS, the Tigard City Council held a public hearing on November 9, 2004 to consider the annexation of four (4) parcel of land consisting of 8.70 acres and withdrawal of said property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District; and

WHEREAS, pursuant to ORS 222.520(2) the City is liable to the Water District for certain debt obligations, however, in this instance the Water District has no debt for the City to assume, therefore, no option regarding the assumption of debt needs to be made; and

WHEREAS, pursuant to Metro 3.09, ORS 222.120 and 222.524, notice was given and the City held a public hearing on the issue of the annexation into the City and withdrawal of the annexed property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District on November 9, 2004; and

WHEREAS, pursuant to ORS 222.524, the City must declare the withdrawal of annexed properties from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District by Ordinance; and

WHEREAS, the Tigard Urban Service Agreement and Community Development Code state, that upon annexation, the zone is automatically changed to the City zoning most closely conforming to the County zoning; and

WHEREAS, the current and proposed zoning district is R-7, therefore, no zone change is necessary; and

WHEREAS, the annexation has been processed in accordance with the requirements of Metro 3.09 and has been reviewed for compliance with the Tigard Community Development Code and the Comprehensive Plan and the annexation substantially addresses the standards in Metro 3.09 regulating annexations; and

WHEREAS, the City Council has carefully considered the testimony at the public hearing and determined that withdrawal of the annexed properties from the applicable service districts is in the best interest of the City of Tigard.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The Tigard City Council hereby annexes the parcels described in the attached **Exhibit "A"** and shown in **Exhibit "B"** and withdraws said parcels from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District.

SECTION 2: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor and posting by the City Recorder.

SECTION 3: The City Recorder is hereby directed to file certified copies of the Ordinance with Metro for administrative processing.

SECTION 4: Pursuant to ORS 222.120(5), the effective date of the withdrawal of the property from the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District shall be the effective date of this annexation.

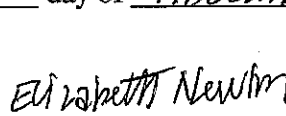

SECTION 5: Pursuant to ORS 222.465, the effective date of the withdrawal of this property from the Tigard Water District shall be July 1, 2005.

SECTION 6: In accordance with ORS 222.180, the annexation shall be effective upon filing with the Secretary of State.


SECTION 7: Pursuant to 18.320.020.C of the Community Development Code, the comprehensive plan and zoning designation placed on the properties shall be automatically applied upon approval of the Council.

SECTION 8: City Council shall adopt the findings and conclusions contained in Section IV of the Staff Report to the City Council for ZCA2004-00002.

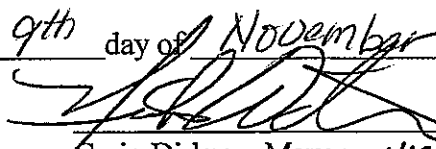
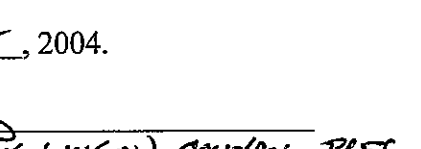
PASSED: By Unanimous vote of all Council members present after being read by number and title only, this 9th day of November, 2004.

 
Elizabeth Newlin, Jane McGarvin, Deputy City Recorder

APPROVED: By Tigard City Council this 9th day of November, 2004.

Approved as to form:


City Attorney

 
Craig Dirksen, Mayor NICK WILSON COUNCIL PRES.
November 9, 2004

Date

EXHIBIT "A"
CITY OF TIGARD
ANNEXATION
LEGAL DESCRIPTION

Revised September 22, 2004

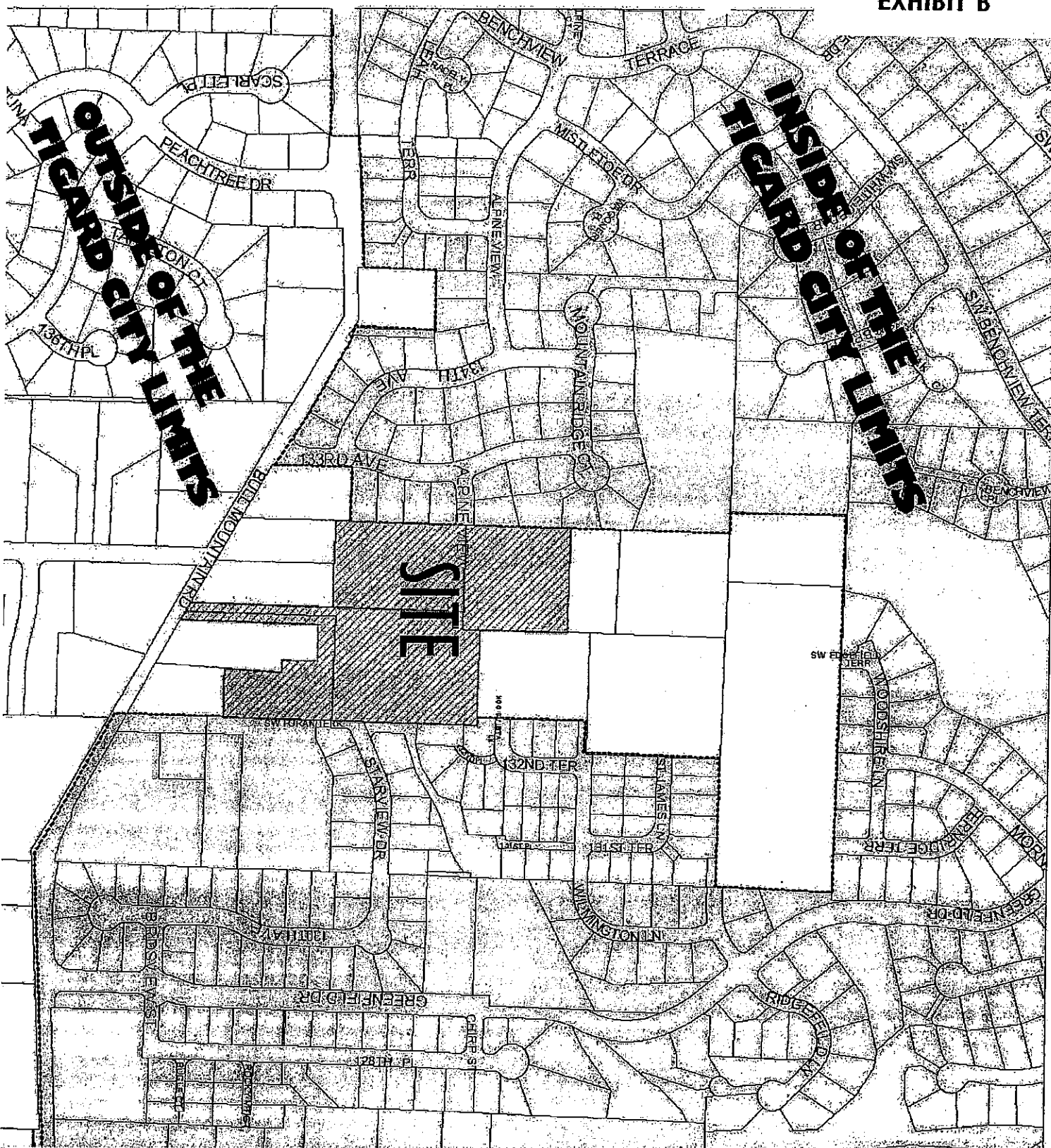
THE PURPOSE OF THIS LEGAL DESCRIPTION IS TO COMBINE IN ONE DOCUMENT THE BOUNDARIES OF THOSE LANDS DESCRIBED IN DEED DOCUMENT No. 89-101850, 90-41679 AND 97-119775 CONTAINED HEREIN FOR ANNEXATION TO THE CITY OF TIGARD.

TRACT OF LAND SITUATED IN THE N.E. QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 1 WEST, OF THE WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 9, BEING MARKED BY A 3 1/4 INCH DIAMETER ALUMINIUM DISK; THENCE ALONG THE NORTH LINE OF SECTION 9, S 89°53'02" E 326.62 FEET TO THE NORTHWEST CORNER OF THAT LAND AS DESCRIBED IN DEED BOOK 803, PAGE 480; THENCE ALONG THE WEST LINE OF LAST SAID DEED AND THE EAST LINE OF THE DULY RECORDED PLAT OF "THREE MOUNTAIN ESTATES", S 00°00'08" E 450.00 FEET TO THE NORTHWEST CORNER OF THAT LAND AS DESCRIBED IN DEED DOCUMENT No. 89-101850, AND THE "TRUE POINT OF BEGINNING" OF THIS DESCRIPTION; THENCE ALONG THE NORTH LINE OF SAID DOCUMENT No. 89-101850, S 89°53'02" E 291.86 FEET TO THE NORTHEAST CORNER OF LAST SAID DEED; THENCE ALONG THE EAST LINE OF LAST SAID DEED S 00°04'52" E 248.00 FEET TO THE NORTHWEST CORNER OF THAT LAND DESCRIBED IN DEED DOCUMENT No. 90-041679; THENCE ALONG THE NORTH LINE OF LAST SAID DEED N 89°51'54" E 250.00 FEET TO AN ANGLE POINT IN THE NORTH LINE OF SAID DEED; THENCE CONTINUING ALONG SAID NORTH LINE S 89°45'47" E 19.65 FEET TO THE N.E. CORNER OF SAID DOCUMENT No. 90-041679, BEING ON THE WEST LINE OF THE DULY RECORDED PLAT OF "RAVEN RIDGE"; THENCE ALONG THE EAST LINE OF LAST SAID DEED AND ALONG THE WEST LINE OF SAID "RAVEN RIDGE" AND THE DULY RECORDED PLAT OF "FORAN", S 01°01'12" E 409.45 FEET TO THE S.E. CORNER OF DOCUMENT No. 90-041679; THENCE ALONG THE SOUTH LINE OF LAST SAID DEED S 89°52'48" W 294.21 TO AN ANGLE POINT IN SAID SOUTH LINE; THENCE CONTINUING ALONG SAID SOUTH LINE S 00°04'52" E 431.08 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF S.W. BULL MOUNTAIN ROAD, THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE N 60°59'55" W 28.61 FEET TO THE S.E. CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED BOOK 871, PAGE 544; THENCE ALONG THE WEST LINE OF SAID DOCUMENT NO. 90041679 N 00°04'52" W 406.90 FEET TO

THE S.E. CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED IN DEED DOCUMENT No. 97-119775; THENCE ALONG THE SOUTH LINE OF LAST SAID TRACT N 89°53'02" W 242.78 FEET TO THE S.W. CORNER OF SAID DOCUMENT NO. 97-119775; THENCE ALONG THE WEST LINE OF SAID DOCUMENT NUMBERS 97-11975 AND 89-10185 AND ALONG THE EAST LINE OF AFORE SAID "THREE MOUNTAIN ESTATES", N 00°00'08" W 667.97 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING: 7.25 ACRES



CITY of TIGARD

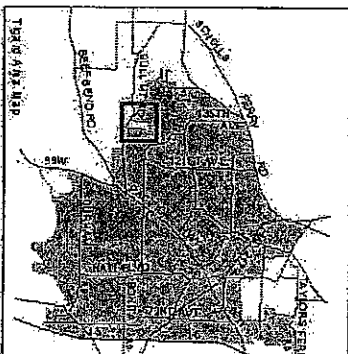
GEOPOLITICO INFORMATION SYSTEM

VICINITY MAP

ICA2004-00002

ALPINE VIEW ANNEXATION

Shaded area indicates
inside the city limits.



Information on this map is for general location only and should be verified with the Development Services Division.

13125 SW Hall Blvd
Tigard, OR 97229
(503) 638-4174